

Special Education Advisory Panel
February 18, 2005
Minutes

Members Present

Lynda Roberts	Mary Kay Savage	Mike Hanrahan
Joan Zavitsky	Deana O'Brien	Kent Kolaga
Steve Viola	Dennis Gragg	Joe Sartorius
Trish Grassa	Patti Simcosky	Ray Wicks
Pat Jackson	Eileen Huth	Cathy Meyer
Rebecca Largent	Jeaneal Alexander	Melodie Friedebach

Members Not Present

Tamara Arthaud	Barbara Scheidegger	Shirley Woods
Dan Colgan	Richard Staley	Amy James
Nan Davis	Teresa Valdes	
Eric Remelius	Pam Walls	

DESE Staff Present

Debby Parsons	Pam Williams
Mary Corey	Kate Numerick

Handouts from this meeting can be reviewed at the following website:

http://dese.mo.gov/divspeced/Administration/AdvisoryPanel/APMhndout02_05.html.

Call to Order and Introductions – Deana O'Brien called the meeting to order at 9:10 a.m. Introductions were made.

Approval of Minutes – Joan Zavitsky made a motion to approve the minutes from the last meeting as written. Patti Simcosky seconded the motion. Kent Kolaga abstained from voting. Minutes approved.

Formal Recommendations

#3 – Content from the training modules was disseminated to the monitoring subcommittee at the December panel meeting. Kent Kolaga wanted to know how many school personnel have received these trainings (is it a significant number). Debby Parsons indicated that it varies with each module. Kent indicated that personnel involved in IEP meetings need to be taking the training modules. Debby indicated that as part of an improvement plan for a district during a forth cycle MSIP review, district personnel can be directed to attend module trainings.

The EP section is looking at moving more modules to online training and is getting the information to districts as quickly as possible. Kent indicated that he did not feel that the situation was being adequately addressed. He was concerned that the number of districts that have participated seems to be very low and that at this time it does not seem that a lot of people are attending the trainings. Debby indicated that the Division funds the special education consultants at the RPDCs. The consultants are available to assist districts in developing improvement plans and can work with the districts to provide needed training. Debby briefly reviewed with the panel some of the training information that was disseminated at the last meeting.

Mike Hanrahan made a motion that, beginning with the forth cycle MSIP, training be made mandatory for a district if it is found that it is needed. Pat Jackson seconded the motion. Kent Kolaga abstained from voting. Motion passed.

#9 – Debby Parsons recommended this be held until the afternoon for Pam Williams' discussion regarding this item.

Comments from the Public – No comments.

Unmet Needs Discussion – Joe Sartorius indicated that he and Melodie had talked at the last meeting and decided to open this discussion to the entire panel.

- Joan Zavitsky felt that one area is highly qualified teachers area. Melodie indicated that Kate Numerick, Director, Special Education Effective Practices, would be discussing this item with panel in the afternoon.
- Kent Kolaga indicated that there has always been a shortage of teachers in specialized areas.
- Joe Sartorius suggested the monitoring (OSEP) APR. Debby Parsons indicated that this information had been shared with the panel at past meetings and that Mary Corey, Director, Special Education Data Coordination, would be discussing this with the panel in the afternoon.

Mary Kay Savage suggested that the unmet needs item be again added to the agenda for the next panel meeting. Joe suggested that the panel may want to bring in a facilitator to assist with this discussion.

Mike Hanrahan indicated that subcommittees should be identifying unmet needs but many of them are not meeting regularly and attendance is poor. He felt that two day panel meetings were better because they allowed for subcommittees to meet. Kent Kolaga suggested that the panel's agenda be rearranged so that the DESE reports are given first, then time is given for the subcommittees to meet, followed by the panel's business meeting.

Melodie Friedebach suggested that the panel identify criteria for identifying unmet needs. Joe Sartorius assigned this to the public comment subcommittee and asked that they make a recommendation to the panel – Cathy Meyer is the new chair of this subcommittee. Jeaneal Alexander volunteered to serve on the public comment subcommittee. Joe indicated that the charge of the subcommittee is to help define the parameters and criteria of unmet needs and to suggest whether a facilitator is needed and what the facilitator's responsibilities would be if needed.

The format for the agenda for the next meeting of the panel will be changed. DESE will provide updates, the subcommittees will be given time to meet, followed by the remainder of the panel meeting. The panel meeting will continue to be a one day meeting but Melodie suggested that subcommittees meet the evening before and spend the night if needed. Subcommittee chairs need to let Joe Sartorius and Lina Browner know when and where meetings are. Joe will try to be available if the subcommittee needs him to attend and Lina will include the information on the panel agendas. Ray Wicks indicated that the reason the panel went to a one day meeting was because of attendance and expense. Kent Kolaga made a motion that the executive committee look at attendance and cost of a one day meeting versus two day meetings. Mike Hanrahan seconded the motion. Motion passed.

Evaluation Subcommittee Report

Status of Annual Report – Lynda Roberts handed out copies of the draft annual report. It is similar to the October version but with a few modifications (added information to the committee reports). Lynda did not receive any comments/suggestions from panel members after the October meeting. It was suggested that panel members review the annual report and send comments to Lina Browner by March 4. Lina will forward all comments to Lynda. Lynda will edit the report if needed. Lina will send the annual report to panel members and give them 10 days to vote to accept or not accept the report.

Cathy Meyer made a motion that, beginning with the 2004-05 fiscal year, annual reports need to be completed no later than ninety days after the end of the fiscal year. Kent Kolaga seconded the motion. Joan Zavitsky added to the motion that each of the subcommittee chairs need to bring their yearly report to the June panel meeting. Motion passed. The completed annual report could be reviewed/approved at the panel's October meeting. It was suggested that each year the panel chair send a message to subcommittee chairs reminding them to turn in their reports by the June panel meeting. If additional action is taken at the June meeting, subcommittee chairs should amend their report and submit the additional information by June 30.

Rules and Regulations Subcommittee Report – No report.

Monitoring Subcommittee Report – No report.

Programs Subcommittee Report – Dennis Gragg reported that the subcommittee understands its charge and assignments and has reviewed a draft of some professional development descriptions for the RPDCs. He will have a report at the April meeting.

Nominations Subcommittee Report – Trish Grassa reported that they are in the process of contacting parent organizations to try to get more nominations. Deana O'Brien suggested that Trish contact the nominees that have been on file for a while to determine if they are still interested in serving on the panel. The panel needs at least one parent from the southwest and/or south central area of the state.

Public Comment Subcommittee Report – Cathy Meyer is the new chair. Dennis Von Allmen, the past chair of the subcommittee, took notes during a recent conference call but since that time, has resigned as a panel member. Cathy Meyer indicated that Shirley Woods was working on the details (location, etc) to hold the first public forum in KC sometime in the fall. Joe Sartorius indicated that he would still like to have the first public forum to be held this spring and asked that Cathy pull together the details and report at the April meeting.

Cathy indicated that, during the conference call, they discussed many things but that the subcommittee just wasn't sure the best way to handle the public forums and kept getting stuck on cost issues. Cathy asked if the panel did want to proceed with the public forums. Kent Kolaga indicated that the decision to do this has already been made. Cathy indicated that she would present a generic public forum plan to the panel at the April meeting.

Joe Sartorius reviewed with the panel what each subcommittee is currently charged with and asked that each of them be prepared to report at the April meeting.

- Evaluation - Status of Annual Report
- Rules and Regulations - IDEA and Lewis Case
- Monitoring - Questions for Child Complaint Survey and State Regulation Changes
- Programs - Effective Practices of Staff Development and Description of RPDCs
- Nominations - Current Openings for Parents and Future Term Openings Coming Up
- Public Comment - Public Forums and Facilitator for Unmet Needs

DESE Update

Budget/Legislative Update – Melodie Friedebach indicated that there have been supplemental hearings in the House and Senate. The Division has requested two supplemental. One for First Steps for \$5 million to fund services for the remainder of this fiscal year and the other to reimburse districts for students who are eligible under the Lewis decision (costs from last school year). Other requests include:

- ECSE for \$100 million (governor supports)
- state board operated programs for \$50 million (governor supports)
- exceptional pupil aid (reimbursement behind teachers and ancillaries K-12) for \$149 million with an increase of \$7.7 million (governor did not support the increase)
- reimbursement for full cost of children eligible in the Lewis decision for \$26 million (governor only recommended \$6 million)
- extraordinary cost fund and severe disability fund for \$4 million (governor did not support)
- public placement fund (children with excess cost placed in group homes in their district) for \$10 million (governor supports)
- Sheltered Workshops for \$18 million (governor supports)

Division staff have discussed combining the special purpose funds into just one fund (special school districts and charter schools would be eligible) and are working on legislation (no sponsor yet) to change the definition of severely handicapped in the state statutes. Staff have also been reviewing the new

reauthorized IDEA and have identified areas that Missouri will be out of compliance in and are drafting statutory changes (have submitted to OSEP for review and approval). The Division will forward the suggested changes to the Rules and Regulations subcommittee after approval from OSEP.

OSEP Response on Part B APR and March APR Submission – DESE received OSEP’s response. Mary Corey handed out information to the panel regarding Missouri within OSEP’s Continuous Improvement Process for Part B. The APR is due in six weeks. Mary plans to submit the APR on March 31 and will also forward a copy to the Evaluation subcommittee for their review (Joe Sartorius would like a copy also). Joe asked if there was anything that the panel could do to assist in the process. Mary suggested that the Evaluation subcommittee review the report DESE sends to OSEP. The subcommittee could then report to the panel (possibly at the April meeting) on what DESE has done and if they feel there were things that should have been done.

Kent Kolaga suggested that this item be given to the Monitoring subcommittee instead of the Evaluation subcommittee. The panel discussed which subcommittee should review the information and decided to leave it with the Evaluation subcommittee. Lynda Roberts indicated that the Evaluation subcommittee has already scheduled a meeting with Mary the day before the next panel meeting (April 14).

OSEP Response on Child Complaint Appeal – Pam Williams indicated that earlier in the year she contacted CADRE to inquire about independent reviews of child compliant decisions. As a result of that inquiry she found that some states do have an independent review process (some within the sixty day timeline and some outside of the sixty day timeline). The Division then contacted OSEP. OSEP indicated that the federal regulations are silent as to whether an independent review must be completed within the sixty day timeline or if it can exceed the timeline. If the state did implement an independent review process and a decision was overturned as part of the review, then that would be the final decision.

Melodie Friedebach indicated that the Division wants to review the child complaint process and not so much the findings. Is the process working correctly or do changes need to be made? Pam indicated that most states stated that their review procedures were validated and that very few decisions were overturned. Kent Kolaga indicated that this discussion is about two different things – overturning (changing a decision) and review of the process the agency uses.

Kent Kolaga asked Pam to send the monitoring subcommittee a copy of the previously written policy letter from OSEP regarding this issue. Pam indicated that the copy she has is copyrighted but she will contact OSEP to get an original copy to send to the monitoring subcommittee. OSEP indicated that Missouri can implement an independent review process. Some questions that need to be considered include; who would do the independent review, would it be done within or outside of the sixty day timeline, and what parameters (investigating for errors in the process, no new issues could be raised).

Pam indicated the Compliance Section is proposing that, since state regulations are being changed due to the reauthorized IDEA, they conduct a survey of parties involved in the child compliant process (last year and the current year) to get their perspectives. Pam asked the monitoring subcommittee to send her some suggested questions for the survey by the April panel meeting. If the division decides to have an independent review process, it could be added to the State Plan changes that will be made in the spring of 2006.

Highly Qualified Teachers – Kate Numerick reported to the panel on highly qualified teachers (see draft handout). Melodie Friedebach indicated this is the Division’s first attempt to put this information into writing. Missouri does not use the HOUSS standards at this time but anticipates doing so (must receive State Board approval). The Division will be sending a letter to district superintendents and directors of special education to give them a head up.

States determine who is considered highly qualified in different ways. The easiest way for a teacher to be considered highly qualified is for them to take the Praxis. The Division is going to bring together a stakeholder group (CEC, CASE, etc.) to review drafts of Missouri’s plan. The Division plans to go to the State Board sometime this calendar year. The Division will also be contacting institutions of higher

education letting them know that they will have students graduating that will not be qualified. All of the contractual agencies and charter schools will fall under these new standards. The Division needs to be realistic in the HOUSSE rules proposed and be as flexible as possible so as not to lose teachers. Teacher Certification has been participating in the meetings so far.

Lynda Roberts asked what the consequence would be for a teacher, district, or the state if the highly qualified standard is not met. Kate didn't know the answer to the question but indicated that Division staff will be working on the issue. The 2005-06 school year will be the "grace window" for teachers. High schools will have some difficulties in addition to districts that locate specific programs in one building.

New Business - No new business.

Member Issues/Reports

- Joe Sartorius announced that Dennis Von Allmen recently resigned as a member of the panel.
- Kent Kolaga indicated that he attended an IEP meeting at Cole County R-I in Russellville (received a PAC grant) and was very impressed. The district provides parents at the initial IEP meeting with a loose leaf binder that includes parent guides, procedural safeguards, items from MPACT and DESE, and tabs to organize the materials. That was an activity that grew from their PAC grant.
- **Facilitated IEP Training** – Mary Kay Savage indicated that MPACT has sent staff to train the trainer training on facilitated IEPs. A facilitated IEP has a nonbiased facilitator that sets the agenda, moves the meeting forward, and brings consensus to items. At this time, districts have not started using facilitators. MPACT now has trainers that can train other people in the state to do facilitated IEPs.

Kent Kolaga indicated that he felt that a disadvantage of having a statewide IEP form is that it drives the IEP meeting (team members just go from page to page) and when the IEP team gets to the goals and objectives, everyone is usually tired of the meeting and wants to rush through to complete. Mary Kay indicated that facilitators could be made aware of this so they could try to avoid it. The facilitator has to sign the IEP because they are present at the meeting but they are not considered a team member. Mary Kay and Kate Numerick are discussing the next steps.

There was a working lunch at 11:45 a.m.

Adjournment – Cathy Meyer made a motion to adjourn the meeting. Kent Kolaga seconded the motion. Motion passed. Meeting was adjourned at 3:25 p.m.